IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

WP(C).No. 1675 of 2006(Y)

PETITIONER:

K.KARUNAKARAN,
S/O.KUNHAMBU, `KOKKADAN HOUSE',
PARASSINIKKADAVU, KASARAGOD DISTRICT.

BY ADV. SRI.A.K.ABDUL AZEEZ

RESPONDENTS:

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1. THE REGIONAL TRANSPORT AUTHORITY,
KASARAGOD, REPRESENTED BY ITS SECRETARY.

2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KASARAGOD DISTRICT.

ADDL.3 U.D.SHAYI, SHEENA NIVAS,
P.O. PATHAYAKUNNU, POOKODE, THALASSERY, REPRESENTED
BY HIS POWER OF ATTORNEY HOLDER P.P.BALAMOHANA BABU,
RATHIN NIVAS, P.O.PALAYAD.

(ADDITIONAL 3RD RESPONDENT IMPLEADED VIDE ORDER DATED
2-2-2006 IN I.A.1496/06)

BY GOVERNMENT PLEADER SMT. SUDHA DEVI.
ADV.SRI.O.D.SIVADAS-R3

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/12/2006 THE Court ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.1675/2006

APPENDIX:

PETITIONER'S EXHIBITS:

EXT.P1-PHOTOSTAT COPY OF the JUDGMENT DATED 30-3-94 IN M.V.A.A. NO.259/94 OF the STATE TRANSPORT APPELLATE TRIBUNAL.

EXT.P2- PHOTOSTAT COPY OF INTERIM ORDER IN WPC 25966 OF 2004 OF this HONOURABLE Court DATED 3-9-2004.

EXT.P3- PHOTOSTAT COPY OF the PROCEEDINGS DATED 14-11-2005.

EXT.P4-PHOTOSTAT COPY OF the NOTICE OF TIMING CONFERENCE OF the RESPONDENTS.

EXT.P5-PHOTOSTAT COPY OF the NOTICE OF TIMING CONFERENCE OF the RESPONDENTS.

K.BALAKRISHNAN NAIR, J.

W.P.(C).NO.1675 of 2006-Y

Dated this the 21st day of December, 2006

JUDGMENT

The Petitioner was granted a regular permit on the route Kannur-Kasargod, as per the judgment of the S.T.A.T. in M.V.A.A.259 of 1994, which is marked as Ext.P1 in the writ petition. When there was delay in issuing the permit, he approached this Court and this Court by Ext.P2 interim order directed to issue the permit. When there was further delay in issuing the permit, he filed a Contempt of Court (Civil) Case before this Court. Pursuant to the said proceedings, the permit was granted to him on 14-11-2005 subject to ratification by the R.T.A. The R.T.A. ratified the decision of the Secretary. Since the time schedule was not settled and the permit was not issued, this writ petition was filed. From the statement of the respondents, it is evident that the timing conferences were held several times, to settle the time schedule.

2. If so far the time schedule is not settled, the same shall be settled and permit shall be issued to the petitioner within two months from the date of production of a copy of this judgment,

provided the petitioner satisfies the other requirements like production of current records etc. If the K.S.R.T.C. or any other party is affected by the time schedule, they will be free to challenge it.

The writ petition is disposed of as above.

K.BALAKRISHNAN NAIR,JUDGE.

MS